

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Case No.: 2:16-cr-00279-JAD-PAL-1

Plaintiff

v.

Order Resolving Motions

Joshua Sadat Washington,

[ECF Nos. 432, 433]

Defendant

Joshua Sadat Washington seeks copies of various orders that the court has issued over the last couple of months, claiming he never received them.¹ He further requests that the court mail those orders in a particular way to ensure that they get to him.² Washington asks that the court label mailings “Legal Mail – Open only in the presence of the inmate.”³

“Mail from the courts, as contrasted to mail from a prisoner’s lawyer, is not legal mail,” and “the First Amendment does not prohibit opening such mail outside the recipient’s presence.”⁴ The court is under no obligation to label its mail in the manner that Washington requests, and he does not identify any particular reason why such relief is warranted in his case. So I deny his request that court mail be labeled in that manner. But I grant his motion for copies of the court’s recent orders. The docket shows that the Clerk’s office manually mailed those orders to him.⁵ But because the court does not have a method of ensuring that the orders were

¹ ECF No. 432.

² ECF No. 433.

³ *Id.* at 1.

⁴ *Hayes v. Idaho Correctional Center*, 849 F.3d 1204, 1211 (9th Cir. 2017) (cleaned up).

⁵ See ECF No. 427; ECF No. 428; ECF No. 431. Each order’s docket entry notes that copies have been “sent to the defendant manually.”


1 indeed mailed, I grant his motion and direct the Clerk of Court to mail Washington copies of the
2 recent orders issued in this case. However, the court will not continue to re-send copies of
3 orders. Washington will need to address this issue with his facility, **as the court will deny**
4 **future requests for additional copies of documents it has properly sent once.**

5 **Conclusion**

6 IT IS THEREFORE ORDERED that Defendant Joshua Washington's motion to re-send
7 the court's orders [ECF No. 432] is **GRANTED**. **The Clerk of Court is directed to mail**
8 **Washington copies of the orders at ECF Nos. 427, 428, and 431.**

9 IT IS FURTHER ORDERED that Washington's motion "requesting copies to be
10 delivered" in a particular manner [ECF No. 433] is **DENIED**.

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U.S. District Judge Jennifer A. Dorsey
February 14, 2023